

AN ORDINANCE

BY COUNCILMEMBERS CEASAR C. MITCHELL, JIM MADDOX, H. LAMAR WILLIS, CARLA SMITH, CLAIR MULLER, JOYCE M. SHEPERD, CLETA WINSLOW, IVORY LEE YOUNG, Jr., KWANZA HALL AND MARY NORWOOD

AS AMENDED BY COUNCIL (11/20/06)

CREATING THE CITY OF ATLANTA TAX ALLOCATION DISTRICT NUMBER NINE – METROPOLITAN PARKWAY; DESIGNATING THE BOUNDARIES OF THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; ESTABLISHING THE TAX ALLOCATION INCREMENT BASE FOR THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; ADOPTING A REDEVELOPMENT PLAN FOR THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS, NOTES OR OTHER OBLIGATIONS AND/OR TO OTHERWISE USE TAX ALLOCATION INCREMENTS TO FUND REDEVELOPMENT COSTS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; AUTHORIZING ATLANTA DEVELOPMENT AUTHORITY TO ACT AS THE REDEVELOPMENT AGENT TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW AND THE URBAN REDEVELOPMENT LAW; AND FOR OTHER PURPOSES.

WHEREAS, the Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.) provides for the establishment of redevelopment powers and the creation of redevelopment plans and tax allocation districts by counties and municipalities in the State of Georgia; and

WHEREAS, the purpose of the Redevelopment Powers Law is to improve economic and social conditions within substantially underutilized and economically and socially depressed urban areas that contribute to or cause unemployment, limit the tax resources of counties and municipalities while creating a greater demand for governmental services, have a deleterious effect upon the public health, safety, morals and welfare, and impair or arrest the sound growth of the community as a whole; and



WHEREAS, it is in the public interest of the City of Atlanta that the Redevelopment Powers Law be exercised to improve economic and social conditions of the Metropolitan Parkway Tax Allocation District (sometimes referred to as the “Metropolitan Parkway TAD”), as such area is described in Appendices A-B to the document entitled “Metropolitan Parkway Redevelopment Plan and Tax Allocation District” (sometimes referred to as the “Redevelopment Plan”), which Redevelopment Plan is attached hereto and incorporated herein by this reference, in order to abate or eliminate deleterious effects of its current depressed and underutilized state; and

WHEREAS, the Council finds that the Metropolitan Parkway Tax Allocation District as a whole has not been subject to development or redevelopment levels, particularly when compared to the redevelopment activity taking place in other areas of the City, and in fact has suffered from disinvestment and other negative economic conditions; and

WHEREAS, the Council finds that the Metropolitan Parkway Tax Allocation District on the whole suffers from underdeveloped land characteristics that contribute to or cause unemployment, limit the tax resources of the City and County while creating a greater demand for government services, and in general have a deleterious effect on the public health, safety, and welfare; and


WHEREAS, the Council finds that the Metropolitan Parkway Tax Allocation District on the whole is substantially underutilized by containing a substantial number of open or vacant parcels and structures and buildings of relatively low value compared to the value of other structures and buildings in the vicinity and that the current condition of the area on the whole is less desirable than the redevelopment of the area for new commercial, residential, office, and other uses, including the provision of additional parkland as well as pedestrian and transportation improvements; and

WHEREAS, adoption of the Redevelopment Plan for the Metropolitan Parkway Tax Allocation District (sometimes referred to as the “Redevelopment Plan”) and creation of the Metropolitan Parkway Tax Allocation District is necessary to assure that the City of Atlanta maintains its historical position as the commercial center of the region and provides balanced quality of life and access to economic development opportunities throughout the City; and

WHEREAS, the City recognizes that new streetscapes, sidewalks, parks, retail, other public infrastructure, commercial and employment centers, improved connectivity to alternative transportation facilities, and new housing are needed to create an attractive and prosperous community and restore balance to economic opportunities visited upon by other areas of the City; and

WHEREAS, the creation and implementation of the Metropolitan Parkway TAD can provide incentives and initial funding to catalyze the rehabilitation and redevelopment of areas within the Metropolitan Parkway TAD; and

WHEREAS, the City of Atlanta has designated the Atlanta Development Authority (the “ADA”) as its Redevelopment Agency pursuant to O.C.G.A. § 36-44-1 et seq.; and



WHEREAS, it is in the public interest of the City that the Redevelopment Powers Law be exercised to improve the economic and social conditions of the Metropolitan Parkway TAD on the whole in order to remedy the detrimental effects of its current depressed and underutilized state; and

WHEREAS, the ADA has prepared a Redevelopment Plan for the Metropolitan Parkway TAD pursuant to O.C.G.A. § 36-44-3(9) to be used as the framework for the implementation of the redevelopment activities contemplated within the Metropolitan Parkway TAD; and

WHEREAS, the City recognizes that the Redevelopment Plan is a tool by which to realize the redevelopment potential yet to be obtained in the Metropolitan Parkway TAD and the adoption of the Redevelopment Plan does not supersede or modify the current zoning regulations on those properties referenced in the Redevelopment Plan or otherwise contained in the Metropolitan Parkway TAD; and

WHEREAS, the City recognizes the importance of community involvement in the Metropolitan Parkway TAD implementation process, as well as the importance of balanced and equitable development throughout the Metropolitan Parkway TAD; and

WHEREAS, the Council of the City of Atlanta desires to adopt the Redevelopment Plan for the Metropolitan Parkway Tax Allocation District and create Tax Allocation District Number Nine – Metropolitan Parkway.

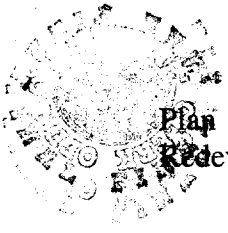
NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

Section 1. The City of Atlanta finds and declares that the Metropolitan Parkway Tax Allocation District on the whole has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan.

Section 2. The City of Atlanta finds and declares that improvement of the Metropolitan Parkway Tax Allocation District is likely to enhance the value of a substantial portion of other real property located within the district.

Section 3. The City of Atlanta approves the attached Redevelopment Plan prepared by the ADA as the Redevelopment Plan for the aforesaid area pursuant to the Redevelopment Powers Law, and incorporates such Redevelopment Plan, including all Appendices and Exhibits thereto, by reference as if fully set forth hereinafter.

Section 4. The City of Atlanta hereby creates its **Tax Allocation District Number Nine – Metropolitan Parkway** (the “Metropolitan Parkway TAD”) pursuant to the Redevelopment Plan and the Redevelopment Powers Law. The boundaries of the Metropolitan Parkway TAD shall be as indicated on the map included as Appendix A to the Redevelopment



Plan and shall consist of those tax parcels identified on the list attached as Appendix B to the Redevelopment Plan, both such Appendices being incorporated herein by reference.

Section 5. Tax Allocation District Number Nine – Metropolitan Parkway is hereby created as of December 31, 2006, and shall continue in existence for twenty-five (25) years. All redevelopment costs, including financing costs and debt service on tax allocation bonds, notes and other obligations, shall be paid in full by December 31, 2031.

Section 6. The City of Atlanta hereby establishes the estimated tax allocation increment base of \$41,754,060 for the Metropolitan Parkway Tax Allocation District, subject to certification by the state revenue commissioner as provided in O.C.G.A. § 36-44-10. The ad valorem property taxes to be used for computing tax allocation increments are specified in the attached Redevelopment Plan and are incorporated herein by reference; provided, however, that the term “ad valorem property taxes” shall for all purposes exclude ad valorem property taxes levied on personal property and motor vehicles, and those ad valorem property taxes levied on the assessed value of property owned by public utilities and railroad companies (consistent with the amendments to the Redevelopment Powers Law contained in the provisions of House Bill 1361). Inclusion of ad valorem taxes levied by Fulton County and the Atlanta Board of Education in the computation of the tax allocation increment is contingent upon the consent of such bodies for the inclusion of their respective shares of ad valorem taxes in such computation.

Section 7. The City of Atlanta designates the ADA to serve as its Redevelopment Agent to implement the provisions of the Redevelopment Plan and to effectuate the redevelopment of the Metropolitan Parkway Tax Allocation District pursuant to the framework set forth in Redevelopment Plan and under the Redevelopment Powers Law.

Section 8. The City of Atlanta intends to authorize the issuance of tax allocation bonds, notes or other obligations and such other redevelopment bonds as may be necessary to implement provisions of the Redevelopment Plan. Prior to the issuance of tax allocation bonds, notes or other obligations or the use of tax allocation increments to fund the payment of redevelopment costs (as defined under the Act), ADA shall establish an Advisory Committee to make recommendations to ADA and the City on projects to be funded from tax allocation bond proceeds, tax allocation increment or other funds generated by the Metropolitan Parkway Tax Allocation District.

Section 9. ADA, in consultation with the Advisory Committee, shall identify project specific **Community Benefits**, as applicable, which will be embodied in the ADA development agreement relating to all projects receiving tax allocation district funding. Such Community Benefits, as applicable, may include, but shall not be limited to, the following project attributes: (i.) an employment opportunity notification, recruitment and training plan; (ii.) an inclusionary marketing and promotion of commercial and retail leasing opportunities to local businesses; (iii.) workforce affordable housing; (iv.) a housing opportunity marketing plan for City employees, Public Safety personnel, Educators and other public sector employees; (v.) greenspace and open space provisions; and (vi.) green building principles and practices. Notwithstanding the foregoing, before the issuance of the initial series of tax allocation bonds, ADA, in consultation with the City and



The Advisory Committee, shall adopt an affordable housing policy, as may be amended from time to time.

Section 10. The Council authorizes the use of the tax allocation increments and the proceeds of bonds, notes or other obligations relating to the Metropolitan Parkway Tax Allocation District by the ADA and the City of Atlanta for any and all eligible uses including, without limitation, costs of issuance of such tax allocation bonds, notes or other obligations, capital costs of public and private improvements, including but not limited to streets, bridges, utilities, storm and sanitary sewers; capital improvements related to transit; parks, trails, recreational facilities, parking facilities, sidewalks and streetscapes, and arts and cultural facilities and installations; professional services costs, including fees for architectural, engineering, legal and environmental services, and peer review, and such other uses deemed necessary or appropriate pursuant to provisions of the Redevelopment Plan and the Redevelopment Powers Law.

Section 11. The property proposed to be pledged for payment or as security for payment of tax allocation bonds will include the positive ad valorem tax allocation increments derived from Tax Allocation District Number Nine – Metropolitan Parkway; provided, however, that the term “ad valorem property taxes” shall for all purposes exclude ad valorem property taxes levied on personal property and motor vehicles, and those ad valorem property taxes levied on the assessed value of property owned by public utilities and railroad companies (consistent with the amendments to the Redevelopment Powers Law contained in the provisions of House Bill 1361).

Section 12. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

A true copy,

A handwritten signature in black ink, appearing to be "F. S. [unclear]".

Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

NOV 20, 2006
NOV 28, 2006

RCS# 706
11/20/06
2:43 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-2292, 06-O-2290, 06-O-2291 SUB

ADOPT AS AMEND

YEAS: 13
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

| | | | |
|-----------|-------------|-----------|------------|
| Y Smith | N Archibong | Y Moore | Y Mitchell |
| Y Hall | N Fauver | Y Martin | Y Norwood |
| Y Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | Y Sheperd | NV Borders |

MULTIPLE



Metropolitan Parkway Redevelopment Plan and Tax Allocation District

City of Atlanta TAD #9

**Prepared by
Atlanta Development Authority
for
City of Atlanta
Georgia**

October 2006

422

06-0-2290

(Do Not Write Above This Line)

AN ORDINANCE CREATING THE CITY OF ATLANTA TAX ALLOCATION DISTRICT NUMBER NINE - METROPOLITAN PARKWAY; DESIGNATING THE BOUNDARIES OF THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; ESTABLISHING THE TAX ALLOCATION INCREMENT BASE FOR THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; ADOPTING A REDVELOPMENT PLAN FOR THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; ESTABLISHING THE INTENT TO ISSUE AND SELL TAX ALLOCATION BONDS, NOTES OR OTHER OBLIGATIONS AND/OR TO OTHERWISE USE TAX ALLOCATION INCREMENTS TO FUND REDEVELOPMENT COSTS NECESSARY TO EFFECTUATE THE REDEVELOPMENT OF THE METROPOLITAN PARKWAY TAX ALLOCATION DISTRICT; AUTHORIZING ATLANTA DEVELOPMENT AUTHORITY TO ACT AS THE REDEVELOPMENT AGENT TO IMPLEMENT THE REDEVELOPMENT PLAN PURSUANT TO THE REDEVELOPMENT POWERS LAW AND THE URBAN REDEVELOPMENT LAW; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER *As Amended*
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 10/18/06
Referred To: CD/HR
Date Referred
Referred To:
Date Referred
Referred To:

Committee _____
Date _____
Chair _____
Referred To _____

Committee CD/HR
Date 10/31/06
Chair
Action
Fav, Adv, Hold (see rev. side)
Other
Members

Refer To
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Fav, Adv, Hold (see rev. side)

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Members

ADOPTED BY

NOV 20 2006

COUNCIL

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
NOV 20 2006
ATLANTA DEVELOPMENT AUTHORITY PRESIDENT

CERTIFIED
NOV 20 2006
Ruth Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED

NOV 20 2006
Mayor's Office
MAYOR